

Ralph Dennis

Owner of AF&T five years, started in car business in 1981.

Current President of MADRA (Montana Automobile Dismantlers and Recyclers Association)

We are strongly opposed to this bill

Free enterprise

Senator Hinkle is trying to help the little guys who feel overregulated and overtaxed.

But this new law creates three major problems.

Environmental

Ms. Miller has spoken about problems with antifreeze, batteries, stormwater, tires and mercury switches.

Just the expense of refrigerant, antifreeze and tire disposal at our facility gets into five digits annually.

Every dollar of this expense is something that I could circumvent, if I were inclined to run my facility unlicensed and unaccountable. It would be severely hazardous to the environment although it would easily put one thousand additional dollars a month in my pocket.

Instead of this, though, as a licensed yard I am accountable if I release Freon, or pour antifreeze onto the ground, or discard tires in a pile somewhere hidden from view. Or worse, leave mercury switches in the crushed cars, again, just because no one is looking.

Which leads me to the second problem, unfair competition

Licensed disposal facilities have substantial investments to comply with environmental and neighborhood blight laws.

Almost every unlicensed junk vehicle operator is thoroughly unconcerned about the proper handling of these hazardous materials.

We have twenty or so regular customers (suppliers) who sell us junk vehicles regularly over the scale. Of these I believe only two will take the time to recover simply the Freon and antifreeze, and both customers are large, well-capitalized towing companies. AC & radiator lines are cut to facilitate removal of the fluids and gases, which indicates the gases could not have been recovered. And I have never once seen a mercury switch removed.

Once again, these operators are unaccountable and therefore no one can in enforcement can prove or even suggest that they operate in this fashion.

Those of us with licenses are required to act responsibly even to our own financial detriment. And once again, the expenses associated with environmental protection

are substantial and we cannot compete to buy scrap with the unlicensed operator and still cover these expenses.

Tax accountability. As an example I offer you that my company pays out approximately ten thousand dollars a week over the counter in cash, and I am not required by law to report a cent of that half million dollars to any governmental authority. In comparison our local Pacific Recycling spends at least twenty times that amount, or ten million dollars, again with no tax consequences to the guy who pockets the cash unless they happen to want to declare it for tax purposes.

Conflict with existing code

This law modifies Title 75 which hold Montana's Environmental Protection Laws.

Sanitarians and junk vehicle directors already have trouble enforcing the existing junk vehicle laws and have requested clarification for enforcement purposes in SB 14 to help them manage gatherers of vehicles.

This bill muddies the laws pertaining to the shielding and other requirements surrounding junk vehicles which is specifically what these county employees use to enforce the laws to keep our communities clean and unpolluted.

Summary

On behalf of myself, my company, and all the members of MADRA I urge you to kill this bill today. Thank you.